

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 7, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 31, 2004.**

MOTION: Schorr moved and Heier seconded approval of the Board of Commissioners meeting dated August 31, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Ettamae Branstetter for her services at Lincoln City Libraries.

B. The Commissioners' Award of Excellence for August, 2004 was presented to Sue (Paullette) Pethel, an employee at Lancaster Manor.

- 3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS FOR REVIEW:**

A. **Payment Voucher 782-6048, dated August 2, 2004 - Families First and Foremost has requested payment to Lincoln Public Schools. This is the final payment relating to Contract C-03-0344. The total amount of the payment voucher is \$17,239.33 which does not include \$8,724.47 that the vendor is requesting due to being over the contract amount.**

MOTION: Hudkins moved and Schorr seconded approval of Payment Voucher 782-6048, dated August 2, 2004 to Lincoln Public Schools, in the amount of \$17,239.33. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

B. **Payment Voucher 782-6159, dated August 19, 2004 - Families First and Foremost has requested payment to Psychotherapy Associates, in the amount of \$766.94, for therapy services and includes the dates of March 30, 2004, in the amount of \$56.21, April 1, 2004, in the amount of \$58.24, April 13, 2004, in the amount of \$73.30 and April 27, 2004, in the amount of \$56.21 which totals \$243.96. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).**

MOTION: Heier moved and Schorr seconded approval of Payment Voucher 782-6159, dated August 19, 2004 to Psychotherapy Associates. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

C. **Payment Voucher 693356078, dated August 19, 2004 - Emergency Services has requested payment to Leo Benes, in the amount of \$1,500, for instructor fees from December 1, 2003 to May 11, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).**

MOTION: Hudkins moved and Workman seconded approval of Payment Voucher 693356078, dated August 19, 2004 to Leo Benes. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

D. **Payment Voucher 693356096, dated August 19, 2004 - Emergency Services has requested payment to Steven Dolezal, in the amount of \$450, for instructor fees from April 26, 2004 through May 11, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).**

MOTION: Workman moved and Heier seconded approval of Payment Voucher 693356096, dated August 19, 2004 to Steven Dolezal. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

4) **CLAIMS FOR REVIEW CONTINUED:**

E. **Payment Voucher 678-050156, dated August 11, 2004 - The Juvenile Detention Center has requested payment to Isabelle J. Markowski d/b/a Stitch-N-Time, in the amount of \$39.75, for sewing services (the invoice is dated March 30, 2004). The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).**

MOTION: Schorr moved and Hudkins seconded approval of Payment Voucher 678-050156, dated August 11, 2004 to Isabelle J. Markowski d/b/a Stitch-N-Time. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

5) **CLAIMS: Approval of all claims processed through Tuesday, September 7, 2004.**

MOTION: Heier moved and Hudkins seconded approval of all claims processed through September 7, 2004. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. **County Board of Zoning Appeals, Appeal 115, requested by Diane Browder, for a variance to the minimum lot area, lot width and frontage, on property located at 20901 South 134th Street in Lancaster County, Nebraska. (See New Business Item 7A for correlating resolution.)**

The Chair opened the public hearing and asked if anyone wished to testify.

The Clerk administered the oath to Diane Browder, applicant.

Browder explained that the property is a piece of the MoPac (Missouri Pacific Railroad) right-of-way which she purchased approximately 15 years ago. She stated to access her property she has to go across Darrell TeSelle's property and that TeSelle also has to access her property to go to the remainder of his property. Browder stated she feels it would be best to split her twelve acres, as it currently exists, into an eastern and western portion. She would retain six acres where her residence is and the western portion of approximately six acres would be absorbed by TeSelle.

In response to a question asked by Schorr, Browder stated \$3,000 was the value placed on the property being absorbed by TeSelle.

6) **PUBLIC HEARINGS CONTINUED:**

Stevens asked if anyone else wished to testify.

No one appeared and the hearing was closed.

B. Setting of final tax request at a different amount than the prior year. The request is for both Lancaster County and the Rural Library for Lancaster County. (See New Business Item 7B for correlating resolution.)

The Chair opened the public hearing and asked if anyone wished to testify.

Dave Kroeker, Budget and Fiscal Officer, explained that statute requires the County Board to hold a public hearing when setting the final tax request at a different amount than the prior year.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

7) **NEW BUSINESS:**

A. A resolution in the matter of County Board of Zoning Appeals, Appeal 115, requested by Diane Browder, for a variance of Sections 4.017(A) of the Lancaster County Zoning Resolution for property generally located east of South 134th Street, about one-quarter mile south of Stagecoach Road, addressed as 20901 South 134th Street, Lancaster County, Nebraska. (R-04-0108)

MOTION: Heier moved and Schorr seconded approval of Resolution 04-0108 in the matter of County Board of Zoning Appeals, Appeal 115, requested by Diane Browder, for a variance of Sections 4.017(A) of the Lancaster County Zoning Resolution for property generally located east of South 134th Street, about one-quarter mile south of Stagecoach Road, addressed as 20901 South 134th Street, Lancaster County, Nebraska. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

B. A resolution in the matter of setting the 2004-2005 property tax request for Lancaster County. (R-04-0109)

MOTION: Workman moved and Schorr seconded approval of Resolution 04-0109 in the matter of setting the 2004-2005 property tax request for Lancaster County. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

C. A Harvest Project contract with CenterPointe, Inc. to participate in the formation of a multi-disciplinary team to coordinate the delivery of services to Lancaster County's elderly citizens. The County has already received a grant and entered into a similar agreement with the Lincoln Area Agency on Aging (LAAA). CenterPointe will be responsible for providing a qualified individual for 40 hours per week, who will assist with outreach and screening, assessment and care plan development. The County will pay \$43,500 for the services. Term of the agreement is from July 1, 2004 to June 30, 2005. (C-04-0427)

MOTION: Schorr moved and Hudkins seconded approval of a Harvest Project contract with CenterPointe, Inc. to participate in the formation of a multi-disciplinary team to coordinate the delivery of services to Lancaster County's elderly citizens. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

D. An authorized provider agreement with The Chapter, a local unit of the American Red Cross, for Cardiopulmonary Resuscitation (CPR) training for the employees of Lancaster Manor. The contract is effective July 1, 2004 with automatic one year renewals and includes a 30 day termination provision. The County will pay for the equipment, course materials, and training fees as provided in Appendix A. (C-04-0433)

MOTION: Heier moved and Workman seconded approval of an authorized provider agreement with The Chapter, a local unit of the American Red Cross, for Cardiopulmonary Resuscitation (CPR) training for the employees of Lancaster Manor. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

E. A contract with Don McKinney, Inc., in the amount of \$37,306, for repair of the Hallam Patrol Station; Project 05-02. Term of the agreement is September 7, 2004 through October 22, 2004. (C-04-0434)

MOTION: Heier moved and Hudkins seconded approval of a contract with Don McKinney, Inc., in the amount of \$37,306, for repair of the Hallam Patrol Station; Project 05-02. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

F. An amendment to an agreement between Mary Hewitt Jones and Norman Langemach, Attorneys at Law, and Lancaster County for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247 (1), (2), (3)(a), (4), (5), (6) and (8) in the Separate Juvenile Court of Lancaster County. The parties wish to amend the billing method to allow each party to submit separate invoices for services provided to the County. (C-04-0428)

MOTION: Schorr moved and Workman seconded approval of an amendment to an agreement between Mary Hewitt Jones and Norman Langemach, Attorneys at Law, and Lancaster County for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247 (1), (2), (3)(a), (4), (5), (6) and (8) in the Separate Juvenile Court of Lancaster County. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

G. An amendment to an agreement with Lincoln Public Schools (LPS) for County Contract C-03-0344 for professional services in the area of care coordination using the wraparound process for youth, ages 10-18 years old. LPS incorrectly calculated the compensation and wishes to amend compensation to \$193,525.30. (C-04-0435)

MOTION: Heier moved and Schorr seconded approval of an amendment to an agreement with Lincoln Public Schools (LPS) for County Contract C-03-0344 for professional services in the area of care coordination using the wraparound process for youth, ages 10-18 years old. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

H. Change Order Number 1 with Cheever Construction Company for construction on the Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. The original contract sum will be decreased by \$26,377 due to various value engineering modifications. (C-04-0429)

MOTION: Hudkins moved and Workman seconded approval of Change Order Number 1 with Cheever Construction Company for construction on the Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

I. Allowance Modification Number 1 with Cheever Construction Company to remove unsuitable soils and replace with a sand and gravel mix to meet proper compaction requirements in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. The Contingency/Discovery Allowance will be decreased by \$670. (C-04-0431)

MOTION: Hudkins moved and Workman seconded approval of Allowance Modification Number 1 with Cheever Construction Company to remove unsuitable soils and replace with a sand and gravel mix to meet proper compaction requirements in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

J. Allowance Modification Number 2 with Cheever Construction Company to replace deteriorated piping, unplug an existing mechanical room floor drain and add stainless steel wall caps at overheard door opening 110A in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. The Contingency/Discovery Allowance will be decreased by \$745. (C-04-0430)

7) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Hudkins seconded approval of Allowance Modification Number 2 with Cheever Construction Company to replace deteriorated piping, unplug an existing mechanical room floor drain and add stainless steel wall caps at overheard door opening 110A in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

K. Allowance Modification Number 3 with Cheever Construction Company to repair an undocumented water line and for work performed due to unknown/concealed conditions discovered during excavation for new soil and waste piping in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. The Contingency/Discovery Allowance will be decreased by \$3,608. (C-04-0432)

MOTION: Hudkins moved and Workman seconded approval of Allowance Modification Number 3 with Cheever Construction Company to repair an undocumented water line and for work performed due to unknown/concealed conditions discovered during excavation for new soil and waste piping in connection with the remodel of a Lancaster County Community Mental Health building, Midtown Center, located at 2966 "O" Street. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

L. A program resolution for grading, culverts, a bridge, surfacing, guardrail, channel improvement and utility relocation for County Structure Number T-108 (State Structure C005506020) West Sprague Road between Southwest 2nd and Southwest 14th Streets. The estimated costs are \$538,500. (R-04-0110)

MOTION: Heier moved and Hudkins seconded approval of a program resolution for grading, culverts, a bridge, surfacing, guardrail, channel improvement and utility relocation for County Structure Number T-108 (State Structure C005506020) West Sprague Road between Southwest 2nd and Southwest 14th Streets. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

M. A resolution authorizing the installation of a "School Bus Stop Ahead" sign for westbound traffic on West Panama Road 700 feet east of Southwest 72nd Street in advance of the house drive for Ronald Meyer. (R-04-0111)

MOTION: Schorr moved and Hudkins seconded approval of Resolution 04-0111 authorizing the installation of a "School Bus Stop Ahead" sign for westbound traffic on West Panama Road 700 feet east of Southwest 72nd Street in advance of the house drive for Ronald Meyer. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

N. A resolution providing a two percent cost of living increase for Unrepresented, Classified County employees, and rescinding Resolution 04-0104 for lack of clarity. (R-04-0112)

MOTION: Workman moved and Hudkins seconded approval of Resolution 04-0112 providing a two percent cost of living increase for Unrepresented, Classified County employees, and rescinding Resolution 04-0104 for lack of clarity. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

O. Recommendation from the Purchasing Agent and the Corrections Director to award a bid to Metroplex Control Systems, Inc., in the amount of \$941,700, for replacement of the control system. (B-04-0039)

Mike Thurber, Corrections Director, gave a brief overview of the control system.

MOTION: Heier moved and Hudkins seconded to accept the recommendation from the Purchasing Agent and the Corrections Director to award a bid to Metroplex Control Systems, Inc., in the amount of \$941,700, for replacement of the control system. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

P. Payment of attorney's fees, under County Resolution 4630, to James L. Haszard, in the amount of \$387, for recovery of County funds expended on behalf of John L. Robinson.

MOTION: Hudkins moved and Workman seconded approval of the payment of attorney's fees, under County Resolution 4630, to James L. Haszard, in the amount of \$387, for recovery of County funds expended on behalf of John L. Robinson. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:05 p.m.. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 7, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:05 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 31, 2004.**

MOTION: Workman moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated August 31, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 79 additions and deductions to the tax assessment rolls per Exhibit "A".

MOTION: Schorr moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS FOR THE FOLLOWING:**

Christ Temple Mission
Church of Jesus Christ of Latter-day Saints
Goodwill Industries Serving Southeast Nebraska, Inc.
Our Lady of Guadalupe Seminary, a division of the Priestly Fraternity of
St. Peter
Sisters of Mary, Queen of Mercy

MOTION: Heier moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:08 p.m.. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk